

REMARKS

In the November 29, 2005 Office Action, the Examiner noted that claims 1-11 were pending in the application and were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,182,072 to Leak et al. (Reference A in the August 26, 2004 Office Action) in view of U.S. Patent 6,886,178 to Mao et al. (Reference A in the June 2, 2005 and November 29, 2005 Office Actions). Claims 1-11 remain in the case. The rejections are traversed below.

In the only full paragraph on page 3 of the Office Action, it was acknowledged that "Leak failed to disclose a 'receiving device...', 'a selection device...', or a 'converting unit...', for operation in a digital broadcasting environment." (page 3, line 9-10). Therefore, column 3, line 14-17 and column 8, line 5 to column 9, line 50 of Mao et al. were cited as allegedly teaching the receiving device, selecting device and converting unit recited in claim 1. In addition, column 6, line 14 to column 7, line 18 of Mao et al. was cited on the next to last line on page 7 of the Office Action as allegedly teaching "outputting a broadcast signal including an elementary stream signal which includes a video stream and an audio stream, and a section signal" (claim 6, lines 11-12), "to support a mass quantity of simultaneous Internet access requests without requiring an excessive number of simultaneous telephone connections at the remote Internet web site" (Mao et al. column 2, lines 14-17), because it was acknowledged at the beginning of the paragraph spanning pages 7 and 8 of the Office Action that "Leak fails to disclose" such a broadcast signal. These same portions of Mao et al. were cited in rejecting claims 7-11.

First, it is noted that Mao et al. relates to a World Wide Web digital content television system, with an object of presenting pages necessary for program direction with appropriate timing from a number of existing web pages, while the present invention enables confirmation of whether there is an abnormal display operation of content from the viewer's perspective. In Mao et al., the web page to be presented is designated by a URL. This designation method does not enable confirmation of page transitions in a display operation of the content by a user. In a practical system such a large number of pages can be selected when following all links in a set of web pages, it is impossible to transmit all of these pages to a set top device in advance and is probable that it will not be possible to display some pages, because of broken links. In this aspect, the display of web pages as taught by Mao et al. differs from "digital broadcasting" (e.g., claim 1, line 2) as recited in the claims.

In addition to citing Leak et al. and the sections of Mao et al. identified above, in the only full paragraph on page 11 the Examiner took Official Notice "that it is notoriously well-known[n] in the art to confirm outputted content information so as to ensure that the user is receiving ... valid

"data" (Office Action, page 11, lines 5-7). Applicant agrees that it is common to verify data, but strongly disagrees that the techniques for doing so are so notoriously well-known that one of ordinary skill in the art would have found it obvious to modify Leak et al. to include

generating, from the content information, instruction information to be used to automatically select a plurality of selection items, ... the instruction information covering selection operations for all the selection items to check whether the plurality of pages are output corresponding to the selection operations

(claim 1, lines 9-13) or "generating an operational procedure ... covering selection operations for all the selection items, so that a broadcasting business operator can check whether the plurality of pages are output corresponding to the selection operations" (claim 6, line 2-7) or an "operational procedure covering selection operations for all the selection items to check whether the plurality of pages are output corresponding to the selection operation, so that the content information output can be checked by the broadcasting business operator" (claim 7, last four lines) or "instruction information covering selection operations for all the selection items to check whether the plurality of pages are output corresponding to the selection operations" (claims 8 and 9, lines 10-12), or the similar limitation recited in claims 10 and 11.

Therefore, Applicant respectfully requests that the Examiner either withdraw the rejections, cite evidence in the prior art, or submits an Affidavit, if the Examiner has personal knowledge of facts that have been alleged to be notoriously known, in accordance with 37 CFR § 1.104(b)(p) and MPEP § 2144.03(C). As stated in MPEP 2144.03(B) "there must be some form of evidence in the record to support an assertion of common knowledge" and no such evidence is currently of record.

The lack of support for the finding that the modification of Mao et al. required to meet the limitations in the claims would be obvious due to "notoriously well-known" techniques, means that any obvious modification of the system taught by Mao et al. cannot "check whether the plurality of pages are output corresponding to the selection operations" (e.g., claim 1, lines 11-12) "while automatically selecting the plurality of selection items according to the instruction information, so that the content information output can be checked by the broadcasting business operator" (claim 1, last 3 lines). Therefore, it is submitted that claims 1-11 patentably distinguish over Leak et al. in view of Mao et al..

Summary

It is submitted that the references cited by the Examiner do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-11 are in a

condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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